

# EXHIBIT 165

Date: Wednesday, July 1 2020 01:56 PM

Subject: [EXTERNAL] RE: REPLY REQUESTED - 24-HOUR FITNESS | 3/21/2020-COVID-19 | MULTIPLE LOCATIONS | Your File: E3872600 | 10266658 | STP 16526 | SF-USPR03322120 | 472207300 | BEAZL1000050416557 | 2020006268 | McLarens 002.051949.MI.A

From: Andrea Matott <Andrea.Matott@beazley.com >

To: 'Sarver, Cynthia' <CYNTHIA.SARVER@LibertyMutual.com >; Keleman, Ronald <Ronald.Keleman@awac.com >; Bradley, Odell <Odell.Bradley@cna.com >; Mike Allen <mike.allen@mclarens.com >; James, Kimberly <kjames@sompo-intl.com >; grspropertyclaims@sompo-intl.com; Dolores Varela <Dolores.Varela@starrcompanies.com >; Reyes, Lourdes (AGCS) <lourdes.reyes@agcs.allianz.com >;

CC: Reeve Segal <rsegal@dt-law.com >; Idalia Suarez <idalia.suarez@mclarens.com >; Violeta Tuufuli <violeta.tuufuli@mclarens.com >;

Attachments: image001.jpg

All:

Suggest a call to discuss. I am available Monday anytime between 1 – 3 EST. Office is closed Friday in observance of Independence Day. Kindly confirm. Thank you.

Andrea Matott, CPCU, AIC, AU, AIS, SCLA  
Property Group

#### BEAZLEY GROUP

Direct: +1 (617) 239 2634  
Office: +1 (617) 239 2600

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**From:** Sarver, Cynthia <CYNTHIA.SARVER@LibertyMutual.com >  
**Sent:** Wednesday, July 1, 2020 10:07 AM  
**To:** Keleman, Ronald <Ronald.Keleman@awac.com >; Bradley, Odell <Odell.Bradley@cna.com >; Mike Allen <mike.allen@mclarens.com >; James, Kimberly <kjames@sompo-intl.com >; grspropertyclaims@sompo-intl.com; Dolores Varela <Dolores.Varela@starrcompanies.com >; Reyes, Lourdes (AGCS) <lourdes.reyes@agcs.allianz.com >; Andrea Matott <Andrea.Matott@beazley.com >  
**Cc:** Reeve Segal <rsegal@dt-law.com >; Idalia Suarez <idalia.suarez@mclarens.com >; Violeta Tuufuli <violeta.tuufuli@mclarens.com >  
**Subject:** RE: REPLY REQUESTED - 24-HOUR FITNESS | 3/21/2020-COVID-19 | MULTIPLE LOCATIONS | Your File: E3872600 | 10266658 | STP 16526 | SF-USPR03322120 | 472207300 | BEAZL1000050416557 | 2020006268 | McLarens 002.051949.MI.A

My apologies; I was out all last week. LM agrees that a review of coverage should be reviewed by counsel. LM has internal counsel; however, if outside counsel is suggested; will need contact information and name to get approval.

#### CYNTHIA SARVER (CINDY) | AIC, AIS

Sr Property Adjuster II  
GRS Shared and Layered Property Claims

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Liberty Mutual Fire Insurance Company  
Wausau, WI  
Office: 715-870-6805

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**From:** Keleman, Ronald <Ronald.Keleman@awac.com >

**Sent:** Thursday, June 25, 2020 11:35 AM

**To:** Bradley, Odell <Odell.Bradley@cna.com>; Mike Allen <mike.allen@mclarens.com >; James, Kimberly <kjames@sompo-intl.com>; grspropertyclaims@sompo-intl.com; Dolores Varela <Dolores.Varela@starrcompanies.com >; Reyes, Lourdes (AGCS) <lourdes.reyes@agcs.allianz.com >; Sarver, Cynthia <CYNTHIA.SARVER@LibertyMutual.com >; Andrea Matott <Andrea.Matott@beazley.com >

**Cc:** Reeve Segal <rsegal@dt-law.com>; Idalia Suarez <idalia.suarez@mclarens.com >; Violeta Tuufuli <violeta.tuufuli@mclarens.com >

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AWAC is in agreement.

Ron Keleman P.C.L.A. , Vice President  
North America Property Claim Group  
Allied World Assurance Company, LTD  
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New York, New York 10038  
[Ronald.Keleman@awac.com](mailto:Ronald.Keleman@awac.com)  
T: 646-794-0540  
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**From:** Bradley, Odell <Odell.Bradley@cna.com >

**Sent:** Thursday, June 25, 2020 11:57 AM

**To:** Mike Allen <mike.allen@mclarens.com >; James, Kimberly <kjames@sompo-intl.com>; grspropertyclaims@sompo-intl.com; Dolores Varela <Dolores.Varela@starrcompanies.com >; Reyes, Lourdes (AGCS) <lourdes.reyes@agcs.allianz.com >; SARVER, CYNTHIA <CYNTHIA.SARVER@LibertyMutual.com >; Andrea Matott <Andrea.Matott@beazley.com >; Keleman, Ronald <Ronald.Keleman@awac.com >

**Cc:** Reeve Segal <rsegal@dt-law.com>; Idalia Suarez <idalia.suarez@mclarens.com >; Violeta Tuufuli <violeta.tuufuli@mclarens.com >

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**CAUTION: External Email**

Market,

After, further review of Endorsement for Interruption by Communicable Disease I believe it is best to engage coverage counsel moving forward.

#### **Interruption by Communicable Disease:**

This policy is extended to cover the reasonable and necessary expenses incurred by the Insured to:

- a) Clean up, remove, and dispose of communicable diseases from insured property at a described location; and
- b) Restore the premises;

In a manner to satisfy the minimum requirements of any law or ordinance regulating communicable diseases. This policy is also extended to cover business interruption (if provided) loss directly resulting from items a) and b) above.

There seems to be a good chance Business interruption coverage will be triggered. I think we all agree. However, there is question based on language of the endorsement that is not straight forward specifically speaking to business interruption.

Will coverage for BI be limited to the Sub-limits of \$2.5M?

On the other hand does the endorsement open coverage speaking to BI limits and Extra expense pertaining to the base policy \$20M?

Market thoughts?

**Odell Bradley**

**Associate General Adjuster, Property Large Loss Claim**

CNA | 801 Warrenville Road, Suite 700, Lisle, IL 60532

Mobile: 469-992-5220

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**From:** Violeta Tuufuli [<mailto:violeta.tuufuli@mclarens.com>] **On Behalf Of** Mike Allen

**Sent:** Tuesday, June 23, 2020 12:50 PM

**To:** Bradley, Odell; James, Kimberly; [grspropertyclaims@sompo-intl.com](mailto:grspropertyclaims@sompo-intl.com); Dolores Varela; Reyes, Lourdes (AGCS); SARVER, CYNTHIA; Andrea Matott; [ronald.keleman@awac.com](mailto:ronald.keleman@awac.com)

**Cc:** Reeve Segal; Idalia Suarez; Violeta Tuufuli

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**Importance:** High

**REPLY REQUESTED**

Ladies & Gentlemen:

Please see attached Report 7, and advise.

Should you have any questions, please do not hesitate to contact the undersigned.

Best Regards,

**Mike Allen** | McLarens

Executive General Adjuster

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*transcribed and sent by:*

**Violeta Tuufuli** | McLarens

Administrative Assistant to Mike Allen

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